

## **PATENT COOPERATION TREATY**

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

# TRANSLATION PROJECT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)
Applicant's or agent's file reference <b>PCT-AB04064</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/JP2004/016516</b>	International filing date (day/month/year) <b>08.11.2004</b>	Priority date (day/month/year) <b>12.11.2003</b>
International Patent Classification (IPC) or both national classification and IPC		
Applicant <b>J-OIL MILLS, INC.</b>		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

## 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2004/016516

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material  
 in written format  
 in computer readable form
  - c. time of filing/furnishing  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/JP2004/016516

Box No. V	<b>Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</b>																				
<p>1. Statement</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding-bottom: 10px;">Novelty (N)</td> <td style="width: 75%; border-bottom: 1px solid black; padding-bottom: 5px;">Claims <u>1-13</u></td> <td style="width: 10%; text-align: right; padding-bottom: 5px;">YES</td> </tr> <tr> <td style="padding-bottom: 10px;"></td> <td style="border-bottom: 1px solid black; padding-bottom: 5px;">Claims _____</td> <td style="text-align: right; padding-bottom: 5px;">NO</td> </tr> <tr> <td style="padding-bottom: 10px;">Inventive step (IS)</td> <td style="border-bottom: 1px solid black; padding-bottom: 5px;">Claims <u>1-13</u></td> <td style="text-align: right; border-bottom: 1px solid black; padding-bottom: 5px;">YES</td> </tr> <tr> <td></td> <td style="border-bottom: 1px solid black; padding-bottom: 5px;">Claims _____</td> <td style="text-align: right; border-bottom: 1px solid black; padding-bottom: 5px;">NO</td> </tr> <tr> <td style="padding-bottom: 10px;">Industrial applicability (IA)</td> <td style="border-bottom: 1px solid black; padding-bottom: 5px;">Claims <u>1-13</u></td> <td style="text-align: right; border-bottom: 1px solid black; padding-bottom: 5px;">YES</td> </tr> <tr> <td></td> <td style="border-bottom: 1px solid black; padding-bottom: 5px;">Claims _____</td> <td style="text-align: right; border-bottom: 1px solid black; padding-bottom: 5px;">NO</td> </tr> </table> <p>2. Citations and explanations:</p> <p>Document 1: JP 2002-095439 A (Asahi Denka Kogyo KK) 02 April 2002 (Family: none)</p> <p>Document 2: JP 8-311485 A (Loders Croklaan B.V.) 26 November 1996 &amp; EP 739589 A1 &amp; DE 69613271 E &amp; US 6410078 B1</p> <p>Document 3: JP 2001-226693 A (The Nissin Oil Mills, Ltd.) 21 August 2001 (Family: none)</p> <p><b>Claims 1-13</b></p> <p>Documents 1-3 cited in the ISR neither describe nor suggests “the point whereby the body taste of a food or of a food material is given by adding a long-chain highly unsaturated fatty acid and/or an ester thereof,” which is the technical feature of the inventions described in claims 1-5, 7, 8 and 10-13, and a method for inhibiting the heating and burning odor of Japanese-style seasoning sauce or broth, and a method of inhibiting the odor of protein in vegetable protein by adding a long-chain highly unsaturated fatty acid and/or an ester thereof, which are the technical features of the inventions described in claims 6 and 9, respectively.</p> <p>Accordingly, the inventions described in claims 1-13 appear to possess novelty and to involve an inventive step.</p>				Novelty (N)	Claims <u>1-13</u>	YES		Claims _____	NO	Inventive step (IS)	Claims <u>1-13</u>	YES		Claims _____	NO	Industrial applicability (IA)	Claims <u>1-13</u>	YES		Claims _____	NO
Novelty (N)	Claims <u>1-13</u>	YES																			
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	Claims _____	NO																			
Industrial applicability (IA)	Claims <u>1-13</u>	YES																			
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